

## REMARKS:

This communication is in response to the detailed Office Action mailed December 9, 2004. Applicant has amended the specification and claims 1 and 15. Applicant also canceled claims 14 and 16. The Examiner's comments and rejections are addressed below:

### Specification

The Examiner has objected to informalities in the specification. More particularly, the Examiner questioned: (1) how the device is actuated to create a braking/ frictional force on the brake disc(s); (2) whether the power supplied to the electromagnets also cause the pads to engage the rotor; and (3) how many discs are used.

Accordingly, Applicant has amended Paragraph [0011] for further clarity. Paragraph [0011] now provides "a disc brake of an oil hydraulic brake system," which clarifies how the device is actuated to create a braking/ frictional force on the brake disc. Support for this amendment can be found in Paragraphs [003] and [004], where the specification describes the disc brake of an oil hydraulic brake system and the associated disc and pad slippage caused by wet road conditions for the oil hydraulic brake system. Further, it is clear that the entire specification explicitly and implicitly addresses the disc and pad slippage issue of an oil hydraulic brake system caused by wet road conditions by describing how the present invention keeps the brakes dry.

As for Examiner's concern regarding whether the power supplied to the electromagnets also cause the pads to engage the rotor, Applicant believes that the above amendment to Paragraph [0011] also addresses this concern. By clarifying that the disc brake of the present invention is that of an oil hydraulic brake system and by reading the rest of the specification on keeping the brake dry when the road is wet, one of skill in the art will gather that the power supplied to the electromagnets do not cause the pads to engage the rotor. One of skill in the art will recognize from the specification that the power supplied to the electromagnet merely facilitates current generation to the electric heat-generating circuit, which helps keep the pads dry when the roads are wet (see, e.g., Paragraphs [0017]-[0021]).

Additionally, Applicant has changed all references of "discs" in Paragraphs [0011] and [0013] to "disc," which clarifies the disc quantity issue. Support for this amendment can be found throughout the specification and the figures. For example, most references in the

specification are to “disc,” such as Paragraphs [0011], [0012], [0014]-[0019], and[0021]. FIGs. 1-3 only illustrate one disc.

Moreover, Applicant believes that no new matter was added through these amendments to the specification. Based on the above, Applicant respectfully requests withdrawal of these objections.

### **35 U.S.C. § 112, Second Paragraph Rejections**

The Examiner has rejected claims 1-15 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as his invention. More specifically, the Examiner cited that claim 1 and 14, lines 6-7 lacked antecedent basis for “said discs.” Accordingly, Applicant has amended claim 1 to recite “said disc” on line 6, which overcomes this rejection. Since claims 2-13 depend on claim 1, they now overcome this rejection as well. Because claim 14 has been canceled, this rejection is now moot. As for claim 15, it has been amended to include the limitations of claim 14 with recitations of “said disc,” which has proper antecedent referring back to “a disc” in the same claim. In light of these amendments, Applicant respectfully requests withdrawal of this rejection.

### **The 35 U.S.C. § 102(b) Rejections**

The Examiner has rejected claims 14 and 16 under 35 U.S.C. § 102(b), as being anticipated by Korean Publication No. 1001794860000 to Son. Because Applicant has canceled claims 14 and 16, the rejection has become moot. Applicant respectfully requests withdrawal of this rejection, in light of the claim cancellations.

### **Allowable Subject Matter**

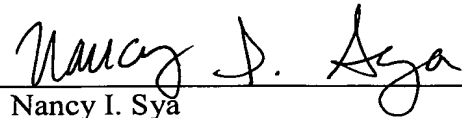
The Examiner has noted that claims 1-13 and 15 would be allowable if re-written or amended to overcome rejections under 35 U.S.C. 112, ¶2. As mentioned earlier, claim 1 has been amended to overcome antecedent basis problems, so it and its dependents, claims 2-13, should be allowed. Claim 15 also has been amended to include the limitations of claim 14 with proper antecedent basis. In light of the above, Applicant believes that claims 1-13 and 15 are now allowable.

**Conclusion**

In light of the present amendments and the above arguments, Applicant believes claims 1-13 and 15 are now allowable and the rejections moot. Should the Examiner have any continuing objections or concerns, the Examiner is respectfully asked to contact the undersigned in order to expedite allowance of this case. Authorization is granted to charge any outstanding fees due at this time for the continued prosecution of this matter to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (matter no. 060945-0150).

Respectfully submitted,

Date March 9, 2005



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